

REMARKS

Claims 23-33 are currently pending in the present application. Claims 1-22 have been cancelled, and claims 23 and 28 have been amended, by the present amendment. The title of the application has been amended to be more descriptive, as suggested by the Examiner. It is believed that these amendments have not resulted in the introduction of new matter.

Applicants wish to extend their appreciation to Examiner O'Dell for rejoining claims 28-33 encompassed by the non-elected invention of Group VI.

Pursuant to 37 C.F.R. § 1.78(a)(5)(iv), Applicants hereby provide confirmation that the certified English translation of U.S. provisional patent application 60/510,012, filed October 10, 2003, was submitted in the provisional application on April 9, 2008, as evidenced by the enclosed image file wrapper obtained from the Patent Application Information Retrieval (PAIR) system. A copy of the electronic filing receipt evidencing the timely filing thereof is also appended herewith for the Examiner's convenience.

The rejection of claims 23-33 under 35 U.S.C. § 103(a) as being obvious over Kodama (U.S. Patent 6,498,169) in view of Bicknell (Tumour Angiogenesis) is respectfully traversed.

Claims 23 and 28 are drawn to a method for inhibiting angiogenesis, and a method for treating a disease or a pathological condition caused by angiogenesis, respectively, comprising administering an effective amount of a cyclic amine compound represented by general formula (1).

Kodama '169 (U.S. Patent 6,498,169) describes that cyclic amine compounds represented by general formula (1) exhibit inhibitory effects on cell adhesion, and are useful for treating inflammatory diseases (See e.g., abstract and column 1, lines 11-18). It is understood that "cell adhesion," as used in Kodama '169, means that *activated leukocytes adhere to endothelial cells in inflammatory sites* through various cell adhesion molecules, such as ICAM-1, VCAM-1, E-selectin, LFA-1 and VLA-4, for example (See e.g., column 1, lines 40-64).

On the other hand, although Bicknell describes that *tumor angiogenesis* involves the “alignment” of *only endothelial cells* into tube-like structures, there is *no description* about “adhesion” therein.

Accordingly, while a skilled artisan would have reasonably concluded that the cyclic amine compounds described in Kodama ‘169 could inhibit *adhesion* between the heterogeneous cells of *activated leukocytes* and *endothelial cells* in *inflammatory sites*, a skilled artisan would not have had a reasonable expectation of success that the cyclic amine compounds would inhibit *adhesion* (not to be confused with *alignment*, as described in Bicknell) between the homogeneous endothelial cells in the *complex process* of *tumor angiogenesis*.

Withdrawal of this ground of rejection is respectfully requested.

The nonstatutory obviousness-type double patenting rejections of claims 23-33 as being unpatentable over claims: (1) 15-20 of Kodama ‘169 (U.S. Patent 6,498,169) in view of Bicknell (Tumour Angiogenesis); (2) 13-17 of Kodama ‘753 (U.S. Patent 6,395,753) in view of Bicknell; (3) 3 of Kodama ‘620 (U.S. Patent 6,605,620) in view of Bicknell; and (4) 13-17 of Kodama ‘221 (U.S. Patent 6,867,221) in view of Bicknell, are respectfully traversed for the same reasons as discussed above.

Withdrawal of these grounds of rejection is respectfully requested.

In conclusion, Applicants submit that the present application is now in condition for allowance and notification to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



David P. Stitzel
Attorney of Record
Registration No. 44,360

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

60/510,012 Angiogenesis inhibitory method

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2008::17:21:25**Bibliographic Data**

| | | | |
|-------------------------|-----------------------------------------|----------------------------|---------------------------------|
| Application Number: | 60/510,012 | Customer Number: | 22850 |
| Filing or 371 (c) Date: | 10-10-2003 | Status: | Provisional Application Expired |
| Application Type: | Provisional | Status Date: | 10-17-2004 |
| Examiner Name: | - | Location: | ELECTRONIC |
| Group Art Unit: | - | Location Date: | - |
| Confirmation Number: | 8530 | Earliest Publication No: | - |
| Attorney Docket Number: | 243843US0PROV | Earliest Publication Date: | - |
| Class / Subclass: | - | Patent Number: | - |
| First Named Inventor: | Takeshi Doi , Higashimurayama-shi, (JP) | Issue Date of Patent: | - |

Title of Invention: Angiogenesis inhibitory method

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60/510,012 Angiogenesis inhibitory method

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|-----------------------|----------------------|--------------------------------------------------------|--------------------------|-------------------|
| 04-09-2008 | 136A | Authorization for Extension of Time all replies | PROSECUTION | 1 |
| 04-09-2008 | SPEC | Specification | PROSECUTION | 16 |
| 04-09-2008 | CLM | Claims | PROSECUTION | 5 |
| 04-09-2008 | ABST | Abstract | PROSECUTION | 1 |
| 04-09-2008 | DRW | Drawings-only black and white line drawings | PROSECUTION | 2 |
| 04-09-2008 | N417 | EFS Acknowledgment Receipt | PROSECUTION | 2 |
| 12-15-2003 | PEFN | Pre-Exam Formalities Notice | PROSECUTION | 1 |
| 10-10-2003 | TRNA | Transmittal of New Application | PROSECUTION | 1 |
| 10-10-2003 | SPECNO | Specification - Not in English | PROSECUTION | 16 |
| 10-10-2003 | DRW | Drawings-only black and white line drawings | PROSECUTION | 2 |
| 10-10-2003 | ADS | Application Data Sheet | PROSECUTION | 2 |
| 10-10-2003 | WFEE | Fee Worksheet (PTO-06) | PROSECUTION | 1 |

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Electronic Acknowledgement Receipt

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|---------------------------------------------|----------------------------------------|
| EFS ID: | 3128072 |
| Application Number: | 60510012 |
| International Application Number: | |
| Confirmation Number: | 8530 |
| Title of Invention: | Angiogenesis inhibitory method |
| First Named Inventor/Applicant Name: | Takeshi Doi |
| Customer Number: | 22850 |
| Filer: | Marvin Jay Spivak/Elizabeth Williamson |
| Filer Authorized By: | Marvin Jay Spivak |
| Attorney Docket Number: | 243843US0PROV |
| Receipt Date: | 09-APR-2008 |
| Filing Date: | 10-OCT-2003 |
| Time Stamp: | 16:42:04 |
| Application Type: | Provisional |

Payment information:

| | |
|------------------------|----|
| Submitted with Payment | no |
|------------------------|----|

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes) /Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|----------------------|--------------------------------|----------------------------------------------------|------------------|------------------|
| 1 | | 243843USenglishtranslation.pdf | 725951 e020bf444b1acb5676f7b77a995d4d052319833d | yes | 25 |

| | Multipart Description/PDF files in .zip description | | |
|--|-----------------------------------------------------|-------|-----|
| | Document Description | Start | End |
| | Miscellaneous Incoming Letter | 1 | 1 |
| | Miscellaneous Incoming Letter | 2 | 2 |
| | Specification | 3 | 17 |
| | Claims | 18 | 22 |
| | Abstract | 23 | 23 |
| | Drawings-only black and white line drawings | 24 | 25 |

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Total Files Size (in bytes):

725951

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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